

ORDINANCE NO. 2006-008

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCE NO. 72-21 AND ORDINANCE NO. 90-37, CODIFIED IN CHAPTER 19, ARTICLE 11, SECTION 19-16 THROUGH SECTION 19-40 AND SECTION 19-51 THROUGH SECTION 19-56 OF THE PALM BEACH COUNTY CODE, AND REPLACING SAID ORDINANCES WITH ONE ORDINANCE TO BE KNOWN AS THE "PALM BEACH COUNTY PARKING ORDINANCE"; PROVIDING FOR TITLE; PROVIDING FOR AUTHORITY; PROVIDING FOR APPLICATION OF PROVISIONS; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE COUNTY ENGINEER TO DESIGNATE PARKING RESTRICTIONS ON COUNTY ROADS; PROVIDING FOR PARKING REGULATIONS; PROVIDING FOR ENFORCEMENT AND PROCEDURES; PROVIDING FOR PENALTY; PROVIDING FOR UNIFORMITY OF APPLICATION; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR REPEAL OF ORDINANCE NO. 72-21 AND ORDINANCE NO. 90-37, AND LAWS IN CONFLICT; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 71-14, Laws of Florida, 1971, empowered the Board of County Commissioners of Palm Beach County, Florida, to adopt ordinances and regulations as may be necessary to exercise its powers; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, has the power to develop and enforce plans for the control of parking; and

WHEREAS, the Board of County Commissioners enacted Ordinance No. 72-21, known as the "Palm Beach County Parking Ordinance," regulating the stopping, standing or parking of vehicles except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer, parking enforcement specialist, traffic assistant or official traffic control device; and

WHEREAS, the Board of County Commissioners of Palm Beach County Florida, amended Ordinance No. 72-21 by enacting Ordinance No. 90-37; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, finds and determines that it is in the best interest of the public that Ordinance No. 72-21, as amended by Ordinance No. 90-37, codified in Chapter 19, Article II, Section 19-16 through Section 19-40 and Section 19-51 through Section 19-56 of the Palm Beach County Code should be repealed and replaced with a new ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA THAT:

1                   **SECTION 1. TITLE**

2                   This Ordinance shall be cited as the "Palm Beach County Parking Ordinance."

3                   **SECTION 2. AUTHORITY**

4                   This Ordinance is adopted pursuant to the authority granted to charter counties under Article  
5                   VIII, Section 1 (g) of the State of Florida Constitution, Chapter 125, Florida Statutes, Section  
6                   316.008, et seq., Florida Statutes, regarding the powers of local authorities, and Chapter 318, Florida  
7                   Statutes, regarding disposition of traffic infractions.

8                   **SECTION 3. APPLICATION OF PROVISIONS**

9                   The provisions of this Ordinance regulating the stopping, standing or parking of a vehicle  
10                  shall be in effect in: (1) streets or highways, roads, right-of-way and roadways in the unincorporated  
11                  areas of Palm Beach County; (2) parking and circulation areas other than County Roads within  
12                  unincorporated Palm Beach County ; (3) county-owned parking facilities and in parking areas located  
13                  on property owned or leased by Palm Beach County, whether or not such parking areas are located  
14                  within the boundaries of a municipality upon adoption of a resolution; (4) within the boundaries of  
15                  County Airport(s) or over which Palm Beach County has statutory jurisdiction for purposes of traffic  
16                  control; and (5) schools with parking zones or areas owned or leased by Palm Beach County, over  
17                  which Palm Beach County has parking jurisdiction. This Ordinance shall apply at all times or as  
18                  indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other  
19                  traffic or in compliance with the directions of a police officer, parking enforcement specialist, traffic  
20                  assistant or official traffic control device. The regulations set forth in this Ordinance do not impact  
21                  municipalities' land use and zoning authority.

22                  **SECTION 4. DEFINITIONS**

23                  1.       Airports. Palm Beach County International Airport, Palm Beach County Park  
24                  Airport, Palm Beach County Glades Airport and North County General Aviation Airport.

25                  2.       Alley. Every street or way within a block set apart for public use, vehicular travel and  
26                  local convenience, except foot paths.

27                  3.       Attended Vehicle. Any motor vehicle occupied or attended by a licensed driver  
28                  capable of operating a vehicle.

29                  4.       Authorized Emergency Vehicle. Vehicles of the fire department , police vehicles and  
30                  such ambulances and emergency vehicles of municipal departments, public service corporations

operated by private corporations, or such others as are designated or authorized by the Board of County Commissioners of Palm Beach County, Florida, or the Palm Beach County Sheriff's Office.

5. Bicycle Lane. A portion of a roadway that has been designated by signs and pavement markings for preferential or exclusive use by bicyclists.

6. Bicycle Path. Any road, path, or way that is open to bicycle travel, which road, path, or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the highway right-of-way or within an independent right-of-way.

7. Bus. Any motor vehicle designed for carrying more than ten (10) passengers, other than a taxicab, designed and used for the transportation of persons for compensation.

8. Bus Stand. A fixed area in the roadway parallel and adjacent to the curb or edge of pavement to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.

9. Business District. The territory contiguous to a street when (fifty percent) 50% or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business.

10. Clerk. The Clerk and Comptroller, in and for Palm Beach County, Florida.

11. Clerk and Comptroller Parking Violation Bureau. A payment and enforcement contractual program administered through the Clerk and Comptroller's office to maximize collection of fines and costs and to facilitate uniformity of parking violation procedures in Palm Beach County.

12. Commercial Motor Vehicle. Any self-propelled or towed vehicle used on the public highways in commerce to transport passengers or cargo, if such vehicle:

- A. Has a gross vehicle weight rating of ten thousand (10,000) pounds or more;
- B. Is designed to transport more than 15 passengers, including the driver; or
- C. Is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act, as amended (*49 U.S.C. ss. 1801 et seq.*).

13. County Roads. Any roads, including streets, highway, roadways or rights-of-way, owned or maintained by Palm Beach County or under the statutory jurisdiction of Palm Beach County for traffic control purposes.

1           14.    County Road System. All collector roads in the unincorporated areas of the County  
2 and all extensions of such collector roads into and through any incorporated areas, all local roads in  
3 the unincorporated areas, and all urban minor arterial roads not in the State Highway System.

4           15.    Crosswalk

5               A.     That part of a roadway at an intersection included within the connections of  
6 the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the  
7 absence of curbs, from the edges of the traversable roadway.

8               B.     Any portion of a roadway at an intersection or elsewhere distinctly indicated  
9 for pedestrian crossing by lines or other markings on the surface.

10          16.    Curb Loading Zone. A space adjacent to a curb reserved for the exclusive use of  
11 vehicles during the loading or unloading of passengers or materials.

12          17.    Department. The Department of Highway Safety and Motor Vehicles (DHSMV).

13          18.    Double Parking, Double Standing or Double Stopping. The parking, standing or  
14 stopping of a vehicle upon the roadway side of another vehicle parking, standing or stopping, but not  
15 legally within or adjacent to an open parking space.

16          19.    Driver or Operator. Every person who drives or is in actual physical control of a  
17 vehicle on a highway or street or who is exercising control of a vehicle or steering a vehicle being  
18 towed by a motor vehicle.

19          20.    Freight Loading Zone. A space adjacent to a curb or the edge of pavement for the  
20 exclusive use of vehicles during the loading or unloading of freight.

21          21.    House Trailer

22               A.     A trailer or semitrailer which is designed, constructed, and equipped as a  
23 dwelling place, living abode, or sleeping place (either permanently or temporarily) and is equipped  
24 for use as a conveyance on streets and highways; or

25               B.     A trailer or a semitrailer the chassis and exterior shell of which is designed and  
26 constructed for use as a house trailer, as defined in paragraph (a), but which is used instead,  
27 permanently or temporarily, for the advertising, sales, display, or promotion of merchandise or  
28 services or for any other commercial purpose except the transportation of property for hire or the  
29 transportation of property for distribution by a private carrier.  
30

1                   22.    Intersection

2                   A.     The area embraced within the prolongation or connection of the lateral  
3                   curblines: or, if none, then the lateral boundary lines of the roadways of two (2) highways which join  
4                   one another at, or approximately at, right angles; or the area within which vehicles traveling upon  
5                   different highways joining at any other angle may come in conflict.

6                   B.     Where a highway includes two (2) roadways thirty (30) feet or more apart, then  
7                   every crossing of each roadway of such divided highway by an intersecting highway shall be regarded  
8                   as a separate intersection. In the event such intersecting highway also includes two roadways thirty  
9                   (30) feet or more apart, then every crossing of two roadways of such highways shall be regarded as  
10                  a separate intersection.

11                 23.    Laned Roadway or Highway. A roadway or highway the surface of which is divided  
12                 into two or more clearly marked lanes for vehicular traffic.

13                 24.    Law Enforcement Agent. Any person authorized to direct or regulate traffic or to  
14                 issue citations for violations of traffic regulations, including police officers, parking enforcement  
15                 specialists, municipal officers, traffic assistants, or Florida Highway Patrol officers.

16                 25.    Limited Access Facility. A street or highway especially designed for through traffic  
17                 and over, from, or to which owners or occupants of abutting land or other persons have no right or  
18                 easement, or only a limited right or easement, of access, light, air, or view by reason of the fact that  
19                 their property abuts upon such limited access facility or for any other reason. Such highways or  
20                 streets may be parkways from which trucks, buses, and other commercial vehicles are excluded; or  
21                 they may be freeways open to use by all customary forms of street and highway traffic.

22                 26.    Local Authorities. Includes all officers and public officials of Palm Beach County  
23                 and the municipalities of Palm Beach County.

24                 27.    Motorcycle. Any motor vehicle having a seat or saddle for the use of the rider and  
25                 designed to travel on not more than three wheels in contact with the ground, but excluding a tractor  
26                 or a moped.

27                 28.    Motor Vehicle. Any self-propelled vehicle not operated upon rails or guideway, but  
28                 not including any bicycle or moped.



1           29.   Official Traffic Control Devices. All signs, signals, markings and devices not  
2 inconsistent with this Ordinance, placed or erected in compliance with the Manual on Uniform  
3 Traffic Control Devices (MUTCD) by local authority.

4           30.   Official Traffic Control Signal. Any device, whether manually, electrically, or  
5 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

6           31.   Operator. Any person who is in actual physical control of a motor vehicle upon the  
7 street, highway, road, roadway right-of-way or who is exercising control over or steering a vehicle  
8 being towed by a motor vehicle.

9           32.   Owner. A person who holds the legal title of a vehicle, or, in the event a vehicle is  
10 the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon  
11 performance of the conditions stated in the agreement and with an immediate right of possession  
12 vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to  
13 possession, then such conditional vendee, or lessee, or mortgagor shall be deemed the owner, for the  
14 purposes of this Ordinance.

15          33.   Park or Parking. The standing of a vehicle, whether occupied or not, otherwise than  
16 temporarily for the purpose of and while actually engaged in loading or unloading merchandise or  
17 passengers as may be permitted by law.

18          34.   Parking Meter. A mechanical timing device authorized by this Ordinance to be used  
19 for the purpose of regulating parking, and which is actuated by the insertion of a coin.

20          35.   Passenger Curb Loading Zone. An area adjacent to a curb or edge of roadway  
21 reserved for the exclusive use of vehicles during the loading or unloading of passengers.

22          36.   Pedestrian. Any person afoot.

23          37.   Person. Any natural person, firm, copartnership, association, or corporation.

24          38.   Police Officer. Any officer authorized to enforce the laws of Palm Beach County and  
25 the State of Florida including Florida Highway Patrolmen, municipal police officers, Sheriffs and  
26 Deputy Sheriffs.

27          39.   Private Road or Driveway. Any privately owned way or place used for vehicular  
28 travel by the owner and those having express or implied permission from the owner, but not by other  
29 persons.

30          40.   Railroad. A carrier of persons or property upon cars operated upon stationary rails.

1           41.    Railroad Sign or Signal. Any sign, signal, or device erected by authority of a public  
2 body or official, or by a railroad, and intended to give notice of the presence of railroad tracks or the  
3 approach of a railroad train.

4           42.    Railroad Train. A steam engine, electric or other motor, with or without cars coupled  
5 thereto, operated upon rails, except a streetcar.

6           43.    Residence District. The territory contiguous to, and including, a highway, not  
7 comprising a business district, when the property on such highway, for a distance of three hundred  
8 (300) feet or more, is, in the main, improved with residences or residences and buildings in use for  
9 business.

10          44.    Right-of-Way. Land in which the state, the Florida Department of Transportation, a  
11 county or a municipality owns the fee or has an easement devoted to or required for the use as a public  
12 road.

13          45.    Road. A way open to travel by the public, including but not limited to, a street,  
14 highway, or alley. The term includes associated sidewalks, the roadbed, the right-of-way, and all  
15 culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining  
16 walls, bridges, tunnels, and viaducts necessary for the maintenance of travel and all ferries used in  
17 connection therewith.

18          46.    Roadway. That portion of a highway improved, designed, or ordinarily used for  
19 vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more  
20 separate roadways, the term "roadway" as used herein refers to any such roadway separately, but not  
21 to all such roadways collectively.

22          47.    Safety Zone. The area or space officially set apart within a roadway for the exclusive  
23 use of pedestrians and protected or so marked by adequate signs or authorized pavement markings  
24 as to be plainly visible at all times while set apart as a safety zone.

25          48.    School Bus. Any motor vehicle that complies with the color and identification  
26 requirements of Chapter 1006, Florida Statutes, and is used to transport children to or from school  
27 or in connection with school activities, but not including buses operated by common carriers in urban  
28 transportation of school children. The term "school" includes all pre-elementary, elementary,  
29 secondary, and post-secondary schools.

30          49.    Sheriff. Palm Beach County Sheriff's Office.

1                   50.    Sidewalk. That portion of a street between the curbline or the lateral line of a roadway  
2 and the adjacent property lines intended for use by pedestrians.

3                   51.    Stand or Standing. The halting of a vehicle, whether occupied or not, otherwise than  
4 temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers,  
5 as may be permitted by law.

6                   52.    State Road. A street, road, highway, or other way open to travel by the public  
7 generally and dedicated to the public use according to law or by prescription and designated by the  
8 Department, as provided by law, as part of the State Highway System.

9                   53.    Stop or Stopping. When prohibited, any halting, even momentarily, of a vehicle,  
10 whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with  
11 the directions of a law enforcement officer or traffic control sign or signal.

12                   54.    Street or Highway

13                   A.     The entire width between the boundary lines of every way or place of whatever  
14 nature when any part thereof is open to the use of the public for purposes of vehicular traffic;

15                   B.     The entire width between the boundary lines of any privately owned way or  
16 place used for vehicular travel by the owner and those having express or implied permission from the  
17 owner, but not by other persons, or any limited access road owned or controlled by a special district,  
18 whenever, by written agreement entered into under Section 316.006(2)(b) or (3)(b), Florida Statutes,  
19 a county or municipality exercises traffic control jurisdiction over said way or place;

20                   C.     Any area, such as a runway, taxiway, ramp, clear zone, or parking lot, within  
21 the boundary of any airport owned by the state, a county, a municipality, or a political subdivision,  
22 which area is used for vehicular traffic but which is not open for vehicular operation by the general  
23 public; or

24                   D.     Any way or place used for vehicular traffic on a controlled access basis within  
25 a mobile home park recreation district which has been created under Section 418.30, Florida Statutes,  
26 and the recreational facilities of which district are open to the general public.

27                   55.    Suspension. Temporary withdrawal of a licensee's privilege to drive a motor vehicle.

28                   56.    Taxi - Taxicab. A licensed public motor vehicle for hire designated and constructed  
29 to seat not more than seven persons and operating as a common carrier on call or demand.



1           57.    Taxi - Taxicab Stand.   A fixed area in the roadway parallel and adjacent to the curb  
2 or edge of pavement set aside for taxicabs to stand or wait for passengers.

3           58.    Traffic.   Pedestrians, ridden or herded animals, and vehicles, streetcars, and other  
4 conveyances either singly or together while using any street or highway for purposes of travel.

5           59.    Traffic Assistant - Parking Enforcement Specialist.   Any law enforcement agent  
6 authorized to control traffic and issue parking citations.

7           60.    Vehicle.   Every device, in, upon, or by which any person or property is or may be  
8 transported or drawn upon a street, highway, road, roadway or right-of-way excepting devices used  
9 exclusively upon stationary rails or tracks.

10          61.    Work Zone Area.   The area and its approaches on any state-maintained highway,  
11 county-maintained highway, or municipal street where construction, repair, maintenance, or other  
12 street-related or highway-related work is being performed or where one or more lanes are closed to  
13 traffic.

14                   **SECTION 5. COUNTY ENGINEER TO DESIGNATE PARKING RESTRICTIONS**  
15 **ON COUNTY ROADS**

16           The County Engineer is hereby authorized to determine and designate traffic restrictions which  
17 are reasonable and conform to the Florida Department of Transportation criteria and necessary for the  
18 welfare of the public on County roads or roads over which the County has jurisdiction for traffic  
19 control, traffic regulation and stopping, standing and parking within the boundaries of the County.  
20 Notwithstanding the above, the County shall have original jurisdiction to regulate parking, by  
21 resolution of the Board of County Commissioners, and thereafter the County Engineer is hereby  
22 authorized to establish such parking regulations in parking areas located on property owned or leased  
23 by Palm Beach County including Airports, whether or not such parking areas are located within the  
24 boundaries of a municipality. Such restrictions shall include but are not limited to the following:

- 25           1.    All night parking.
- 26           2.    Angle parking.
- 27           3.    Parking on the left side of a one-way street or highway.
- 28           4.    Parking on one-way streets.
- 29           5.    Parking in hazardous places.
- 30           6.    Curb loading zones.

7. Bus stops, taxi stands, etc.
8. Prohibited parking.
9. Limited parking.
10. Parking meter locations.

## **SECTION 6. PARKING REGULATIONS**

### **1. Signs to be erected**

Upon the determination by the County Engineer and adoption of a resolution by the Board of County Commissioners to restrict or prohibit parking, standing or stopping in areas owned or leased by Palm Beach County, Airports and in certain areas along County Roads or roads over which Palm Beach County has jurisdiction for traffic control, such areas shall be posted with signs specifying the restrictions of parking, standing or stopping.

### **2. Restricted parking zones, use**

A. No person shall stop, stand, or park a vehicle for any purpose or length of time in any restricted parking zone other than for the purpose to which parking in such zone is restricted, except that a driver of a passenger vehicle may stop temporarily in such zone for the purpose of and while actually engaged in loading or unloading of passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter the zone for the purpose of parking in accordance with the purpose to which parking is restricted.

B. When official signs are erected designating a parking space, area or lot for restricted parking for authorized vehicles only, no person shall park an unauthorized vehicle in violation of such sign.

### **3. Stopping, standing, or parking prohibited in specified places**

A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or an official traffic control device, no person shall:

- Stop, stand or park a vehicle:
  - (1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
  - (2) On a sidewalk.
  - (3) Within an intersection.
  - (4) On a crosswalk.

1 (5) Between a safety zone and the adjacent curb or within thirty (30)  
2 feet of points on the curb immediately opposite the ends of a safety zone, unless the County Engineer  
3 indicates a different length by signs or markings.

4 (6) Along side or opposite any street excavation or obstruction  
5 when stopping, standing, or parking would obstruct traffic.

6 (7) Upon any bridge or other elevated structure upon a highway or  
7 within a highway tunnel.

8 (8) On any railroad tracks.

9 (9) On a bicycle path.

10 (10) At any place where official traffic control devices prohibit  
11 stopping.

12 (11) On the roadway or shoulder of a limited access facility, except  
13 as provided by regulation of the County Engineer, or on the paved portion of a connecting ramp;  
14 except that a vehicle which is disabled or in a condition improper to be driven as a result of  
15 mechanical failure or accident may be parked on such shoulder for a period not to exceed six (6)  
16 hours. This provision is not applicable to a person stopping a vehicle to render aid to an injured  
17 person or assistance to a disabled vehicle in obedience to the directions of a law enforcement officer  
18 or to a person stopping a vehicle in compliance with applicable traffic laws.

19 B. Load or unload a passenger on the paved roadway or shoulder of a limited  
20 access facility or on the paved portion of any connection ramp. This provision is not applicable to  
21 a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.

22 C. Stand or park a vehicle, whether occupied or not, except momentarily to pick  
23 up or discharge a passenger or passengers:

24 (1) In front of a public or private driveway.

25 (2) Within fifteen (15) feet of a fire hydrant.

26 (3) Within twenty (20) feet of a crosswalk at an intersection.

27 (4) Within thirty (30) feet upon the approach to any flashing signal, stop  
28 sign, or traffic control signal located at the side of a roadway.

(5) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when properly signposted).

(6) On a bicycle lane.

(7) At any place where official traffic control devices prohibit standing or parking.

(8) On any laned roadway or highway in Palm Beach County in other than duly designated parking spaces.

(9) On any roadway that is not a laned roadway or highway in Palm Beach County so as to impede the movement of two-way traffic in other than duly designated parking spaces.

D. Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

(1) Within fifty (50) feet of the nearest rail of a railroad crossing unless the Florida Department of Transportation establishes a different distance due to unusual circumstances.

(2) At any place where official signs prohibit parking.

(3) At the arrival and departure areas of Palm Beach International Airport.

4. **Parking prohibited at all times at certain places**

No person shall park a vehicle at any time on any of the following parts of streets, highways, parking areas, sidewalks or sidewalk areas where signs are erected giving notice thereof:

A. In front of a theater entrance.

B. In front of the entrance or exit of a hotel.

C. In front of the entrance of any public building.

D. Fire lanes.

5. **Parking prohibited at all times on certain streets**

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets so marked.

6. **Parallel parking required**

A. Except where expressly designated, every vehicle stopped or parked upon a two-way roadway shall be parallel parked and so stopped or parked in the direction of authorized

1 traffic movement. When so parked or stopped, a vehicle's right-hand wheels shall be parallel to and  
2 within twelve (12) inches of the right-hand curb where parking is permitted.

3 B. Except where expressly designated, every vehicle stopped or parked upon a  
4 one-way roadway shall be parallel parked and so stopped or parked in the direction of authorized  
5 traffic movement with its right-hand wheels within twelve (12) inches of the right-hand curb or edge  
6 of the roadway, or its left wheels within twelve (12) inches of the left-hand curb where parking is  
7 permitted.

8 7. **Parking time limited on certain streets and highways**

9 When signs are erected giving notice of the limitation of time for parking, no person  
10 shall stop, stand or park a vehicle for longer than the time specified by such signs.

11 8. **Moving another's vehicle into prohibited parking place**

12 No person shall move a vehicle not owned by or in charge of such person or stop, stand  
13 or park in a manner prohibited by this Ordinance, into any prohibited area or away from a curb such  
14 distance as is unlawful.

15 9. **Unattended vehicles; stopping engine**

16 No person driving or in charge of any motor vehicle, except a licensed delivery truck  
17 or other delivery vehicle, shall permit it to stand unattended without first stopping the engine, locking  
18 the ignition, removing the key, and securing the vehicle so as to prevent movement. No person  
19 driving or in charge of a licensed delivery truck or other delivery vehicle shall permit it to stand  
20 unattended for a period of time longer than five (5) minutes.

21 10. **Obstruction of traffic by parking**

22 No person shall park any vehicle upon a street or highway in such a manner or under  
23 such conditions as to obstruct the free movement of traffic.

24 11. **Stopping, standing or parking upon travel lanes**

25 A. No person shall stop, park or leave standing any vehicle, whether attended or  
26 unattended, upon the paved or main traveled part of the street or highway when it is practical to stop,  
27 park or so leave the vehicle off such part of the street or highway; but in every event, an unobstructed  
28 width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles



1 and a clear view of the stopped vehicle shall be available from a distance of two hundred (200) feet  
2 in each direction upon any highway outside of a municipality.

3 B. This Section shall not apply to the driver or owner of any vehicle which is  
4 disabled, while on the paved or main traveled portion of a street or highway, in such manner and to  
5 such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such  
6 position, or to passenger-carrying buses temporarily parked while loading or discharging passengers  
7 where highway conditions render such parking off the paved portion of the street or highway  
8 hazardous or impractical.

9 C. (1) Whenever any police officer finds a vehicle standing upon a street or  
10 highway in violation of the foregoing provisions of this section, the officer is authorized to move the  
11 vehicle, or require the driver or other persons in charge of the vehicle to move the same, to a position  
12 off the paved or main traveled part of the street or highway.

13 (2) Whenever any police officer finds a vehicle unattended upon any bridge  
14 or causeway or in any tunnel, or on any County road or where the vehicle constitutes an obstruction  
15 to traffic, the officer is authorized to provide for the removal of the vehicle to the nearest garage or  
16 other place of safety, cost of such removal to be a lien against the motor vehicle.

17 12. **Standing in passenger curb loading zone**

18 No person shall stop, stand, or park a vehicle for any purpose or period of time other  
19 than actively engaged in loading or unloading of passengers in any place marked as a passenger curb  
20 loading zone during hours when the regulations applicable to such curb loading zone are effective,  
21 and then only for a period not to exceed five (5) minutes or as directed by a Law Enforcement Agent  
22 during which time the vehicle shall not be allowed to stand unattended.

23 13. **Standing in freight curb loading zone or in curb loading zone**

24 A. **Freight Curb Loading Zone.** No person shall stop, stand or park a vehicle for  
25 any purpose or length of time other than for the expeditious unloading and delivery or pickup and  
26 loading of materials at any place marked as a freight curb loading zone during hours when the  
27 provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading  
28 of materials exceed thirty (30) minutes. The driver of a passenger vehicle may stop temporarily at  
29 a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading

1 and unloading passengers when such stopping does not interfere with any motor vehicle used for the  
2 transportation of materials which is waiting to enter or about to enter such zone.

3 B. Curb Loading Zone. No person shall stop, stand, or park a vehicle for any  
4 purpose or length of time other than for the expeditious unloading and delivery or pickup and loading  
5 of materials or passengers at any place marked as a loading zone during hours when the provisions  
6 applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials  
7 or passengers exceed thirty (30) minutes.

8 14. Obstruction of public streets, highways, etc.

9 It is unlawful for any person or persons to wilfully obstruct the free, convenient, and  
10 normal use of any public street, highway or road, by impeding, hindering, stifling, retarding or  
11 restraining traffic or passage thereon, or by endangering the safe movement of vehicles or pedestrians  
12 traveling thereon.

13 15. Parking in or obstructing alleys

14 A. No person shall stop, stand or park a vehicle within an alley in a business  
15 district except for the expeditious loading or unloading of materials, and in no event for a period of  
16 more than twenty (20) minutes, and no person shall stop, stand or park a vehicle in any other alley  
17 in such a manner as to obstruct the free movement of vehicular traffic.

18 B. No person shall stop, stand or park a vehicle within an alley in such position  
19 as to block the driveway or entrance to any abutting property.

20 16. All night parking

21 No person, except physicians or other persons on emergency calls, shall park a vehicle  
22 overnight on any street or highway marked to prohibit all night parking.

23 17. Parking prohibited for certain purpose

24 No person shall park a vehicle within any right-of-way for the principal purpose of:

- 25 A. Displaying such vehicle for sale.
- 26 B. Washing, greasing, or repairing such vehicle, except repairs necessary in an  
27 emergency.
- 28 C. Displaying advertising.
- 29 D. Selling merchandise from such vehicle except in a duly established market  
30 place, or when authorized or permitted or licensed under the ordinances of the County.

- 1 E. Storing, or as junk or dead storage, for more than twenty-four (24) hours.
- 2

1                   18.    **Airport regulations regarding stopping, standing or parking**

2                   Notwithstanding the regulations set forth herein, no parking is permitted within  
3                   Airports except in accordance with posted signage or within areas where parking is specifically  
4                   authorized.

5                   19.    **Parking near rural mailbox during certain hours; penalties**

6                   Whoever parks any vehicle within thirty (30) feet of any rural mailbox upon any  
7                   County street, highway or road between 8:00 a.m. and 6:00 p.m. shall be cited as a non-moving  
8                   violation punishable as provided in Chapter 318, Florida Statutes.

9                   20.    **Taxicab and bus operators; parking in other than stands and stops**

10                  The operator of a bus or taxicab shall not stop, stand or park upon any street in any  
11                  business district at any place other than at a bus stop or taxicab stand, respectively, except that this  
12                  provision shall not prevent the operator of any such vehicle from temporarily stopping in accordance  
13                  with other stopping, standing, or parking regulations at any place for the purpose of and while  
14                  engaged in the expeditious unloading or loading of passengers.

15                  21.    **Taxicab stands and bus stops; use by other than taxicabs and buses**

16                  No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other  
17                  than a taxicab in a taxicab stand, when such stop or stand has been officially designated and marked,  
18                  except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while  
19                  actually engaged in the expeditious loading or unloading of passengers, when such stopping does not  
20                  interfere with any bus or taxicab waiting to enter or about to enter such zone. No person shall stop,  
21                  stand or park for any reason in any Airport taxicab stand or bus stop.

22                  22.    **Angle parking, obedience to signs**

23                  No person shall stop, stand or park a vehicle upon the streets which have been signed  
24                  or marked for angle parking other than at the angle to the curb or edge of the roadway indicated by  
25                  such signs or markings.

26                  23.    **Parking prohibited, special vehicle types**

27                  No person shall park, store, or keep a truck of one ton capacity or over, commercial  
28                  vehicle, recreational vehicle, boat or trailer, on any public street, or other thoroughfare or any right-of-  
29                  way for a period exceeding one (1) hour in any twenty-four (24) hour period, each such period

commencing at the time of first stopping or parking unless engaged in loading or unloading of passengers or materials.

24. **Unlawful to wilfully abandon motor vehicles on the streets of the County; notice; presumptions**

A. It is unlawful for any person to wilfully abandon a motor vehicle within or upon the public streets, highways, and rights of ways, within the County.

B. In any prosecution under this section, proof that the defendant named in the complaint was at the time of such abandonment the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner of such vehicle was the person who abandoned such vehicle where and at the time when such violation occurred.

25. **Notice on illegally parked vehicles**

Whenever any motor vehicle without a driver is found parked, stopped or standing in violation of any of the restrictions imposed by resolution or ordinance of this County, the Law Enforcement Agent finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such a vehicle a citation on a form provided by the County, for the owner to answer the charge within the time period specified in the ticket.

26. **Liability for payment of parking ticket violations and other parking violations**

A. Municipalities or entities electing to utilize the Clerk and Comptroller's Parking Violation Bureau for collection and enforcement of parking violations shall utilize the parking citation provided by the Clerk and utilize the process and procedures established by the Clerk. The Clerk shall take appropriate measures to collect fines, costs and fees for those municipalities/entities utilizing the Parking Violation Bureau.

B. Any person who is issued a county parking ticket by a Law Enforcement Agent is deemed to be charged with a noncriminal infraction and shall comply with the directions on the ticket.

C. If payment is not received or a response to the ticket is not made within the time period specified thereon, the County court or the traffic violation bureau shall notify the registered owner of the vehicle that was cited, by mail, to the address given on the motor vehicle registration.



1 Mailing the notice to this address constitutes notification. Upon notification, the registered owner  
2 shall comply with the 77's directive.

3 D. Any person who is mailed notification but fails to timely satisfy the ticket or  
4 timely request a hearing as set forth on the ticket may be assessed late fees, and any person who elects  
5 to appear before a designated official to present evidence waives his or her right to pay the civil  
6 penalty provisions of the ticket. The official, after a hearing, shall make a determination as to whether  
7 a parking violation has been committed and may impose a civil penalty not to exceed \$100 for non-  
8 handicapped violations, or the fine amount designated by county or municipal ordinance, plus court  
9 costs and additional costs authorized by municipal ordinance including late fees and collection fees.  
10 Any person who fails to pay the civil penalty within the time allowed by the court is deemed to have  
11 been convicted of a parking ticket violation. The court shall take appropriate measures to enforce  
12 collection of the fine.

13 E. In any prosecution charging a violation of this Ordinance governing the  
14 stopping, standing, or parking of a vehicle, proof that the particular vehicle described in the complaint  
15 was parked in violation of this Ordinance or other regulation, together with proof that the defendant  
16 named in the complaint was at the time of such parking the registered owner of such vehicle, shall  
17 constitute evidence of a prima facie presumption that the registered owner of such vehicle was the  
18 person who stopped, stood, or parked such vehicle at the point where and for the time during which  
19 such violation occurred. The foregoing stated presumption shall apply only when the procedure as  
20 prescribed in the preceding Section numbered 25 of this Ordinance has been followed.

21 27. **Impounding vehicle**

22 A. Police officers are authorized to remove a vehicle from a street to the nearest  
23 garage or other place of safety, or to a garage designated or maintained by the Law Enforcement  
24 Agent under the circumstances herein enumerated when:

25 (1) A vehicle left unattended upon any bridge, causeway, or viaduct, street  
26 or highway or where such vehicle constituted an obstruction to traffic.

27 (2) A vehicle upon a street or highway is so disabled as to constitute an  
28 obstruction to traffic, or the person or persons in charge of the vehicle are by reason of physical injury  
29 incapacitated to such an extent as to be unable to provide for its custody and removal.

1 (3) A vehicle found upon the right-of-way and is not in proper condition  
2 to be driven.

3 (4) A vehicle left unattended upon a street, highway or right-of-way and  
4 is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of  
5 traffic.

6 (5) A vehicle left unattended upon the right-of-way continuously for more  
7 than twenty-four (24) hours.

8 (6) The driver of such vehicle is taken into custody by the police officers  
9 and such vehicle would thereby be left unattended upon the street, highway or right-of-way.

10 (7) Removal is necessary in the interest of public safety because of fire,  
11 flood, storm, or other emergency reason.

12 B. No vehicle impounded in a garage as herein provided shall be released  
13 therefrom until the charges for towing such vehicle into the garage and storage charges have been  
14 paid. Charges for towing and removal shall be approved by the Law Enforcement Agent and posted  
15 for public inspection in the garages affected.

16 C. Whenever an officer removes a vehicle from a street, highway or right-of-way  
17 as authorized in this section, and the Law Enforcement Agent knows or is able to ascertain the name  
18 and address of the owner thereof, the Department shall within twenty-four (24) hours give or cause  
19 to be given notice in writing to such owner of the fact of such removal, and the reasons therefore, and  
20 of the place to which such vehicle has been removed. In the event such vehicle is stored in an  
21 authorized garage, a copy of such notice shall be given to the proprietor of such garage.

22 D. Whenever an officer removes a vehicle from a street, highway or right-of-way  
23 under this section, and the Law Enforcement Agent does not know and is not able to ascertain the  
24 name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore  
25 provided, and in the event the vehicle is not returned to the owner within a period of three (3) days,  
26 then and in that event the Law Enforcement Agent shall immediately send or cause to be sent written  
27 report of such removal by mail to the motor vehicle commissioner of the State Department of Public  
28 Safety and shall file a copy of such notice with the proprietor of any garage in which the vehicle may  
29 be stored. Such notice shall include a complete description of the vehicle, the date, time and place

1 from which removed, the reasons for such removal, and the name of the garage or place where the  
2 vehicle is stored.

3 28. **Parking meters; determining zones; installation**

4 A. **Authority of the County Engineer.** The County Engineer may recommend  
5 the installation of parking meters and upon approval by the Board of County Commissioners of Palm  
6 Beach County, Florida, install and maintain such meters. The parking meters may be of whatever  
7 type as approved by the County Commission upon recommendation of the County Engineer.

8 B. **Deposit of U.S. currency and credit cards.** Permission to park in a metered  
9 parking space shall be granted for the length of time indicated upon the deposit of a sum as required  
10 and indicated for the designated meter for such space.

11 29. **Parking when meter indicates violation; maximum period; days effective;**  
12 **parking within spaces**

13 A. No person shall park any vehicle or permit any vehicle to remain parked in any  
14 parking metered space when the parking meter for the space occupied by such vehicle shows a  
15 violation.

16 B. No person shall park any vehicle or permit any vehicle to remain parked in any  
17 parking metered space for a continuous period of time greater than the maximum time provided for  
18 on the meter.

19 C. When parking meters are erected giving notice thereof, no person shall stop,  
20 stand or park a vehicle in any metered parking zone for a period of time longer than designated by  
21 said parking meters upon the deposit of a coin of United States currency of the designated  
22 denomination on any day except Sundays and full legal holidays unless otherwise posted, upon any  
23 of the streets so marked by designation of the Board of County Commissioners of Palm Beach  
24 County, Florida.

25 D. Every vehicle shall be parked wholly within the metered parking space for  
26 which the meter shows parking privilege has been granted, and with the front end of such vehicle  
27 immediately opposite the parking meter for such space.  
28

1                   30.    **Meter to be visible**

2                   Every vehicle parked in a parking metered space shall be parked with the front end or  
3 front part of such vehicle immediately opposite the parking meter for such space, and in such manner  
4 that the meter shall be visible from the street side of the vehicle.

5                   31.    **Collection of money**

6                   The County Engineer or any other designee of the Board of County Commissioners  
7 of Palm Beach County, Florida, shall regularly collect monies deposited in meters located in the  
8 unincorporated areas, the receipts thereof to be turned over to the Finance Department.

9                   32.    **Use of slugs, etc.; damaging meters**

10                  It is unlawful to deposit in any parking meter anything other than a lawful coin of the  
11 United States, or any coin that is bent, cut, torn, battered, or otherwise misshapen. It is unlawful for  
12 any unauthorized person to remove, deface, tamper with, open, break, destroy or damage any parking  
13 meter. It is unlawful for any person willfully to manipulate any parking meter in such a manner that  
14 the indicator will not operate and continue to show the correct amount of unexpired time and will be  
15 subject to the penalties set forth in Section 877.08 (2), (3) and (4), Florida Statutes.

16                  33.    **Use of unexpired time; maximum parking time**

17                  The driver of a vehicle entering a parking space at a time when the meter for such  
18 space shows unexpired time may permit such vehicle to remain parked in such space for the amount  
19 of unexpired time shown on such meter, or may by depositing the proper United States currency or  
20 by credit card remain parked in such space for the maximum amount of time allowed by the deposit  
21 of said coin as indicated on said meter.

22                  **SECTION 7. ENFORCEMENT AND PROCEDURES**

23                  1.    **Hearing Officer:**

24                  Violations of this Ordinance shall be heard by a hearing officer designated to preside  
25 over civil traffic infractions.

26                  2.    **Law Enforcement Officers and Parking Enforcement Specialists**

27                  A law enforcement officer or parking enforcement specialist who discovers a vehicle  
28 parked in violation of this Ordinance may:

- 29                  A.    Issue a ticket form to the driver; or

1 B. If the vehicle is unattended, attach such ticket to the vehicle in a conspicuous  
2 place.

3 3. **Disposition of traffic fines and forfeitures**

4 All fines or forfeitures collected, including those collected upon the forfeitures of bail  
5 of any person charged with violation of any of the provisions of this Ordinance, shall be paid and  
6 distributed in accordance with Section 28.2402, Florida Statutes, and any other applicable Florida  
7 statute.

8 4. **Duties of the Clerk**

9 Any municipality or entity may contract with the Clerk & Comptroller's office for  
10 collection and enforcement of parking violations. Accordingly, for those entities participating in the  
11 Clerk's Parking Enforcement Program and for those violations that are referred to the court, the Clerk  
12 has the following duties in reference to standing, stopping and parking violations:

13 A. The Clerk shall accept and distribute fines, fees and costs and issue receipts  
14 therefor.

15 B. The Clerk shall cause to have printed the uniform parking citation.

16 5. **Forms and notices of citation**

17 The Clerk shall provide a uniform numbered citation for notifying alleged violators  
18 to appear and answer to charges of violating this Ordinance.

19 6. **Withholding of license plates and revalidation stickers**

20 A. The Clerk shall supply the Department with a computer tape reel or cartridge  
21 which is machine readable by the computer, or other means of transmission mutually agreed upon by  
22 the Department and Clerk, listing persons whose names appear on the list as set forth in Section  
23 316.1967(6), Florida Statutes, and the Clerk may also report persons listed as set forth in Section  
24 316.1001(4) and Section 713.78, Florida Statutes. Said list shall include the address of the owner of  
25 the vehicle, as well as any other information required by the Department.

26 B. If a person's name appears on the list referred to in subsection (A) above, the  
27 Tax Collector shall not issue a license plate or revalidation sticker to such person until such person's  
28 name no longer appears on said list or until the person presents a receipt showing that such parking  
29 fines and all applicable late charges or other related charges have been paid. Pursuant to Section  
30 320.03(8), Florida Statutes, the Tax Collector and the Clerk shall each be entitled to receive monthly,



1 as costs for implementing and administering this section, ten percent (10%) of the civil penalties and  
2 fines received from such persons.

3 C. Pursuant to the authority granted in Sections 316.1967 and 320.03, Florida  
4 Statutes, this section shall be applicable throughout unincorporated Palm Beach County and in  
5 parking areas owned or leased by the County, including school zones, whether or not such areas are  
6 located within the boundaries of chartered municipalities.

7 D. Any person owing monies for parking tickets issued in the unincorporated areas  
8 of the County or by a municipality shall remit payment for same directly to the County or municipality  
9 unless the County or municipality is participating in the Clerk & Comptroller's parking violations  
10 program for the enforcement, collection and distribution of parking fines, penalties and costs. In  
11 which case, payment shall be remitted to the Clerk & Comptroller's office.

12 E. The Sheriff of Palm Beach County shall provide the Clerk with all information  
13 required by the Department.

14 **SECTION 8. PENALTY**

15 Violation of any provision of this Ordinance shall be punishable as a non-criminal infraction  
16 and fined in accordance with Section 318.18, Florida Statutes.

17 **SECTION 9. UNIFORMITY OF APPLICATION**

18 This Ordinance shall constitute a uniform law applicable in all the unincorporated areas of  
19 Palm Beach County, Florida, and certain property owned or leased by Palm Beach County within the  
20 boundaries of a municipality.

21 **SECTION 10. SAVINGS CLAUSE**

22 Notwithstanding the provisions of Section 11, all provisions of Ordinance No. 72-21, as  
23 originally enacted and amended by Ordinance No. 90-37, are specifically preserved and shall remain  
24 in full force and effect for the limited purpose of enforcing any alleged violations of said Ordinance  
25 which violation occurred prior to their repeal.

26 **SECTION 11. REPEAL OF ORDINANCE NO. 72-21 AND ORDINANCE NO. 90-37**  
27 **AND LAWS IN CONFLICT**

28 Ordinance No. 72-21 and Ordinance No. 90-37 are hereby repealed in their entirety. All other  
29 laws and ordinances applying to the unincorporated areas of Palm Beach County in conflict with this  
30 Ordinance are hereby repealed to the extent of the conflict.

1                   **SECTION 12. INCLUSION IN CODE OF LAWS AND ORDINANCES**

2                   The provisions of this Ordinance shall become and be made a part of the Code of Laws and  
3                   Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or  
4                   re-lettered to accomplish such and the word "ordinance" may be changed to "section", "article", or  
5                   other appropriate word.

6                   **SECTION 13. SEVERABILITY**

7                   If any section, part of a section, paragraph, sentence, clause, phrase, or word of this Ordinance  
8                   is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not  
9                   affect the remaining portions of this Ordinance.

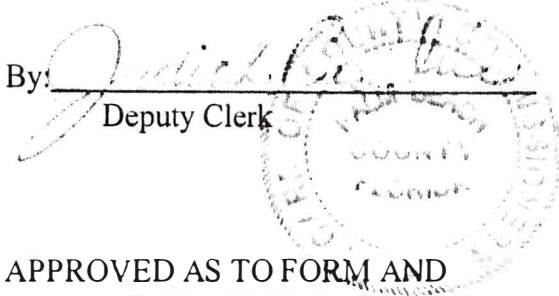
10                  **SECTION 14. EFFECTIVE DATE**

11                  The provisions of this Ordinance shall become effective upon filing with the Department of  
12                  State.

13                  **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach  
14                  County, Florida, on the 14th day of March, 2006.


16                  SHARON R. BOCK, CLERK &  
17                  COMPTROLLER, PALM BEACH  
18                  COUNTY

                  PALM BEACH COUNTY, FLORIDA, BY ITS  
                  BOARD OF COUNTY COMMISSIONERS

19                  By:   
20                  Deputy Clerk

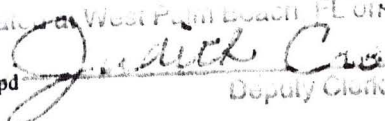
                  By:   
                  Tony Masilotti, Chairman

21                  APPROVED AS TO FORM AND  
22                  LEGAL SUFFICIENCY

23                  By:   
24                  Assistant County Attorney

25                  **EFFECTIVE DATE:** Filed with the Department of State on the 20th day of March  
26                  2006.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, SHARON R. BOCK, Clerk & Comptroller certify  
this to be a true and correct copy of the Ordinance  
filed in my office on MAR 14 2006  
dated at West Palm Beach, FL on 3/27/2006

  
Deputy Clerk